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11 Attorneys for Defendants LONGS DRUG  
12 STORES CALIFORNIA, L.L.C. and CVS  
13 HEALTH CORPORATION f/k/a CVS  
14 CAREMARK CORPORATION

15 UNITED STATES DISTRICT COURT  
16 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

17 AP ORANGEVALE, LLC, a Delaware  
18 limited liability company,

19 Plaintiff,

20 v.

21 LONGS DRUG STORES  
22 CALIFORNIA, L.L.C., a limited  
23 liability company and CVS  
24 CAREMARK CORP., a Delaware  
25 corporation and DOES 1-100, inclusive,

26 Defendants.

Case No. 2:25-cv-00688 DJC-AC

JOINT STIPULATION TO EXTEND  
TIME TO ANSWER FIRST  
AMENDED COMPLAINT AND  
ORDER THEREON

Honorable Daniel J. Calabretta  
Robert T. Matsui United States  
Courthouse - 501 I Street  
Courtroom 7, 14th Floor  
Sacramento, CA 95814

State Case Filed: 1/28/2025  
Notice of Removal Filed: 2/27/2025

27 The following Joint Stipulation to Extend Time to Answer First  
28 Amended Complaint (the "Joint Stipulation"), is made by and between plaintiff  
APO Orangevale, LLC, a Delaware limited liability company ("Plaintiff"), on the  
one hand, and defendants Longs Drug Stores California, L.L.C., a limited liability  
company, and CVS Health Corporation, a Delaware corporation, and DOES 1  
through 100, inclusive (collectively "Defendants"), on the other hand (Plaintiff and

1 Defendants collectively referred to herein as the “Parties”), by and through and their  
2 respective counsel of record, and with respect to the following facts:

3 WHEREAS, this lawsuit was removed from Sacramento County  
4 Superior Court on February 27, 2025 (Dkt. 1);

5 WHEREAS, pursuant to Fed. R. Civ. P 81(c)(2)(C), the initial deadline  
6 for Defendants to respond to Plaintiff’s First Amended Complaint was set for seven  
7 days after removal of case to Federal Court;

8 WHEREAS, the Defendants failed to respond to the Plaintiff’s First  
9 Amended Complaint by the initial deadline;

10 WHEREAS, the Court issued a Minute Order on March 14, 2025,  
11 notifying the Parties of Defendants failure to respond to the Plaintiff’s First  
12 Amended Complaint in a timely manner (Dkt. 5);

13 WHEREAS, the Court in its Minute Order dated March 14, 2025  
14 notified the Defendants that they must respond to the Plaintiff’s First Amended  
15 Complaint within five days of the issuance of the Minute Order or alternatively,  
16 seek an extension of time to respond from the Plaintiff (Dkt. 5);

17 WHEREAS, counsel for Defendants called counsel for Plaintiff and  
18 requested and was granted a two week extension of time to respond to the Plaintiff’s  
19 First Amended Complaint;

20 WHEREAS, the Parties agreed that Defendants’ new deadline to  
21 respond to Plaintiff’s First Amended Complaint shall be April 2, 2025;

22 WHEREAS, in this context, the Parties request that the Court accept  
23 this Stipulation and permit Defendants this additional time to respond to Plaintiff’s  
24 First Amended Complaint without risk of sanctions or further intervention by the  
25 Court;

26 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED  
27 by and between Plaintiff and Defendants, through their respective counsel that  
28

1 Defendants' new deadline to file a response to Plaintiff's First Amended Complaint  
2 shall be April 2, 2025.

3 Accordingly, the Parties respectfully request the Court extend the  
4 existing deadline as proposed so as to allow Defendants adequate time to respond to  
5 Plaintiff's First Amended Complaint.

6  
7 Dated: March 17, 2025

PORTER | SCOTT

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9  
10 By: /s/ *Martin N. Jensen*

11 MARTIN N. JENSEN  
12 PAUL JOHN B. BADUM  
13 Attorneys for Plaintiffs APO  
14 ORANGEVALE, LLC

15 Dated: March 17, 2025

MILLER STARR REGALIA

16  
17 By: /s/ *Thomas S. McConnell*

18 **THOMAS** S. McCONNELL  
19 SAMANTHA L. CHEN  
20 Attorneys for Defendants LONGS DRUG  
21 STORES CALIFORNIA, L.L.C. and CVS  
22 HEALTH CORPORATION f/k/a CVS  
23 CAREMARK CORPORATION  
24  
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**ORDER**

**IT IS HEREBY ORDERED THAT DEFENDANTS SHALL HAVE UNTIL APRIL 2, 2025 TO FILE A TIMELY RESPONSE TO PLAINTIFF'S FIRST AMENDED COMPLAINT.**

Dated: March 17, 2025

/s/ Daniel J. Calabretta

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THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE